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EXAMINER

GAUTHIER, GERALD

ART UNIT PAPER NUMBER

2645

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Please find below and/or attached an Office communication concerning this application or proceeding.

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Office Action Summary

Application No.

09/691,518

Applicant(s)

MEDNIEKS, ZIGURD

Examiner

Gerald Gauthier

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-26 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-26 is/are rejected.
- 7) ☒ Claim(s) 20 is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on ____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) ____.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: .

DETAILED ACTION

Claim Objections

1. **Claim 20** recites the limitation " the phone line features " in line 2. There is insufficient antecedent basis for this limitation in the claim.

Drawings

2. The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the figure 4 must be shown or the feature(s) canceled from the claim(s). No new matter should be entered.

A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. **Claims 1-4, 6, 8-10 and 19** are rejected under 35 U.S.C. 102(b) as being anticipated by Carr et al. (US 5,751,802).

Regarding **claim 1**, Carr discloses a telecommunications service provisioning (column 1, lines 10-11), (which reads on claimed "a method of program mapping selected ones of a plurality of telecommunication system features") from a central programming controller (101 on FIG. 3) to selected ones of a plurality of switches (142 on FIG. 3) on one local instrument (146 on FIG. 3) using voice prompts (column 6, line 22) provided by the central controller to a user (column 6, line 14 "the caller") at the local instrument (column 6, lines 14-29) [The user call the system for provisioning the telephone station for a particular service and the system prompts the caller for the type of station in use to determine the appropriate data to be sent].

Regarding **claim 2**, Carr discloses remotely locating the central programming controller and a user interface from the user (column 3, lines 44-51); and

separating the central programming controller and the user interface from the user a telecommunication connection (column 3, lines 51-60).

Regarding **claim 3**, Carr discloses physically locating the central programming controller in the same cabinet as the at least one local instrument in a telecommunications system controlled by the central programming controller (column 3, lines 56-60).

Regarding **claim 4**, Carr discloses the local instrument is one of a telephone (130 on FIG. 3).

Regarding **claim 6**, Carr discloses the switches are local switches including at least one contact sensitive region of an electronic display (142 on FIG. 3).

Regarding **claim 8**, Carr discloses the plurality of telecommunication system features further comprise call forwarding (column 8, table 1).

Regarding **claim 9**, Carr discloses the central programming controller is a PBX (101 on FIG. 3).

Regarding **claim 10**, Carr discloses voice prompts are included in a voice prompt system, and the method further including: using the voice prompt system to answer a telephone call (column 5, lines 50-64).

Regarding **claim 19**, Carr discloses a telecommunications service provisioning (column 1, lines 10-11), (which reads on claimed "a method of using a voice prompt system to answer telecommunication incoming signals") and using the voice prompt system to program a telecommunications system (125 on FIG. 3 and column 6, lines 14-35) [The switching system prompts the caller to program the telephone with data requested. The call control program provides data messages or prompts the caller and waits for caller response].

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5. **Claim 11** is rejected under 35 U.S.C. 102(b) as being anticipated by LeDuc et al. (US 5,355,404).

Regarding **claim 11**, LeDuc discloses a method of controlling parameter downloading from a communication switching system to customer station (column 1, lines 11-19), (which reads on claimed “a method of program mapping selected ones of a plurality of PBX system features”) to selected ones of a plurality of telephone buttons (BN# 1-BN# 18 on FIG. 2) on a telephone receiver (1030 on FIG. 2), the method comprising:

using voice prompts (column 3, line 32 “voice samples”) to a user at the telephone receiver and the telephone buttons (column 3, lines 26-35) [The ISDN switching system uses voice samples to transmit information to the customer station]; and

generating the voice prompts by one user interface (1031 on FIG. 1) connected to the PBX(1000 on FIG. 1) (column 3, lines 26-35) [The ISDN switching system uses voice samples to transmit information via the line interface to the customer station].

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. **Claims 5, 7 and 20-26** are rejected under 35 U.S.C. 103(a) as being unpatentable over Carr in view of LeDuc.

Regarding **claim 5**, Carr as applied to **claim 1** above differ from **claim 5** in that it fails to disclose the local switches include buttons on a telephone.

However, LeDuc teaches the local switches include buttons on a telephone (BN# 1-BN# 18 on FIG. 2).

It would have been obvious to one of the ordinary skill in the art at the time the invention was made to use the local switches include buttons on a telephone of LeDuc in the invention of Carr.

The modification of the invention would offer the capability of the local switches include buttons on a telephone such as the system would program the buttons on the telephone.

Regarding **claim 7**, Carr as applied to **claim 1** above differ from **claim 7** in that it fails to disclose the switches further comprise steady lights.

However, LeDuc teaches the switches further comprise steady lights (1038 on FIG. 2).

It would have been obvious to one of the ordinary skill in the art at the time the invention was made to use the switches further comprise steady lights of LeDuc in the invention of Carr.

The modification of the invention would offer the capability of the switches further comprise steady lights such as the system would program the lights on the telephone.

Regarding **claim 20**, Carr discloses a telecommunications service provisioning (column 1, lines 10-11), (which reads on claimed "a telephone apparatus having a voice prompting system to allow remote programming of the phone line features"), comprising:

a plurality of telephone lines (126, 129, 133 and 162 on FIG. 3) connected to a plurality of telephones (124, 125, 130, 146 and 152 on FIG. 3) in a centrally controlled phone network (101 on FIG. 3);

a plurality of phone operating features (column 8, table 1) controlled by a central controller (106 on FIG. 4);

each individual one of the operating features selectively provided to any selected one of the plurality of lines (column 8, lines 61-66) [Each service and data are entered into the database to provide the service to the customer];

wherein the voice prompting system provides selected pre-recorded messages responsive to an order of pressing a portion of the plurality of buttons (column 9, lines 5-34) [Different prompts are transmitted to the caller for specifying chosen service features at the telephone station].

Carr fails to disclose a telephone having multiple buttons and lights.

However, LeDuc teaches each individual one of the plurality of telephones having a plurality of buttons, switches (BN# 1-BN# 18 on FIG. 2) and indicator lights (1038 and 1039 on FIG. 2);

each individual one of the lines being programmed to obtain selected ones of the plurality of phone operating features by a selected series of button (1087-1089 on FIG.

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2) presses of the plurality of buttons (column 3, lines 2-7) [These buttons have multiple functions when presses the switching system will provide the services].

It would have been obvious to one of the ordinary skill in the art at the time the invention was made to use a telephone having multiple buttons and lights of LeDuc in the invention of Carr.

The modification of the invention would offer the capability of a telephone having multiple buttons and lights such as the system would notify the user with the changing of service.

Regarding **claim 21**, Carr and LeDuc as applied to **claim 20** above differ from **claim 21** in that it fails to disclose a flashing pattern of selected ones of the plurality of indicator lights.

However, LeDuc teaches the voice prompting system uses a flashing pattern of selected ones of the plurality of indicator lights to transmit information regarding the selected phone features (1038 on FIG. 2).

It would have been obvious to one of the ordinary skill in the art at the time the invention was made to use a flashing pattern of selected ones of the plurality of indicator lights of LeDuc in the invention.

The modification of the invention would offer the capability of a flashing pattern of selected ones of the plurality of indicator lights such as the system would notify the user with the changing of service.

Regarding **claim 22**, Carr and LeDuc as applied to **claim 20** above differ from **claim 22** in that it fails to disclose the voice prompting system uses a color of selected ones of the plurality of indicator lights.

However, LeDuc teaches the voice prompting system uses a color of selected ones of the plurality of indicator lights to transmit information regarding the selected phone features (column 3, lines 19-25).

It would have been obvious to one of the ordinary skill in the art at the time the invention was made to use the voice prompting system uses a color of selected ones of the plurality of indicator lights of LeDuc in the invention.

The modification of the invention would offer the capability of the voice prompting system uses a color of selected ones of the plurality of indicator lights such as the system would notify the user with the changing of service.

Regarding **claim 23**, Carr and LeDuc as applied to **claim 20** above differ from **claim 23** in that it fails to disclose the voice prompting system uses a color of selected ones of the plurality of indicator lights.

However, LeDuc teaches the voice prompting system uses a flashing pattern and a color of selected ones of the plurality of indicator lights to transmit information regarding the selected phone features (column 3, lines 19-25).

It would have been obvious to one of the ordinary skill in the art at the time the invention was made to use the voice prompting system uses a color of selected ones of the plurality of indicator lights of LeDuc in the invention.

The modification of the invention would offer the capability of the voice prompting system uses a color of selected ones of the plurality of indicator lights such as the system would notify the user with the changing of service.

Regarding **claim 24**, Carr discloses the voice prompting system uses a voice recognition system to transmit information regarding the selected phone features to the central controller (109 on FIG. 4).

Regarding **claim 25**, Carr discloses the central controller is a PBX (101 on FIG. 3).

Regarding **claim 26**, Carr discloses a telephone answering system using the voice prompting system to respond to an incoming telephone call (column 5, lines 50-64).

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8. **Claims 12-18** are rejected under 35 U.S.C. 103(a) as being unpatentable over LeDuc in view of Carr.

Regarding **claim 12**, LeDuc and Carr as applied to **claim 11** above differ from **claim 12** in that it fails to disclose remotely locating the PBX and separating the PBX and the user interface.

However, Carr teaches remotely locating the PBX and the user interface from a user (column 3, lines 44-51); and

separating the PBX and the user interface from the user by a telephone line (column 3, lines 51-60).

It would have been obvious to one of the ordinary skill in the art at the time the invention was made to use remotely locating the PBX and separating the PBX and the user interface of Carr in the invention.

The modification of the invention would offer the capability of remotely locating the PBX and separating the PBX and the user interface such as the system would notify the user with the changing of service.

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Regarding **claim 13**, LeDuc and Carr as applied to **claim 11** above differ from **claim 13** in that it fails to disclose physically locating the PBX in the same cabinet.

However, Carr teaches physically locating the PBX in the same cabinet as at least one telephone in a telecommunications system controlled by the controller (column 3, lines 56-60).

It would have been obvious to one of the ordinary skill in the art at the time the invention was made to use physically locating the PBX in the same cabinet of Carr in the invention.

The modification of the invention would offer the capability of physically locating the PBX in the same cabinet such as the system would notify the user with the changing of service.

Regarding **claim 14**, LeDuc and Carr as applied to **claim 11** above differ from **claim 14** in that it fails to disclose a computer data communications line.

However, Carr teaches the telephone receiver further includes a computer data communications line (117 on FIG. 3).

It would have been obvious to one of the ordinary skill in the art at the time the invention was made to use a computer data communications line of Carr in the invention.

The modification of the invention would offer the capability of a computer data communications line such as the system would notify the user with the changing of service.

Regarding **claim 15**, LeDuc discloses the telephone buttons further comprise switches on a telephone (BN# 1-BN# 18 on FIG. 2).

Regarding **claim 16**, LeDuc discloses at least one of the switches further includes at least one contact sensitive region of an electronic display (1032 on FIG. 2).

Regarding **claim 17**, LeDuc discloses at least one of the switches further includes at least one of steady lights (1038 on FIG. 2).

Regarding **claim 18**, LeDuc and Carr as applied to **claim 11** above differ from **claim 18** in that it fails to disclose one of call forwarding.

However, Carr teaches the PBX system features include at least one of call forwarding (column 8, table 1).

It would have been obvious to one of the ordinary skill in the art at the time the invention was made to use one of call forwarding of Carr in the invention.

The modification of the invention would offer the capability of one of call forwarding such as the system would notify the user with the call forwarding.

Conclusion

9. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Cheston, III et al. is cited for an advanced intelligent network interacting with customer equipment (FIG. 2).

Hall et al. is cited for a network accessible intelligent telephone service (FIG. 1).

Lee et al. is cited for a method for providing personalized telephone subscriber features at remote locations (FIG. 1).

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10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Gerald Gauthier whose telephone number is (703) 305-0981. The examiner can normally be reached on 8:00 AM to 4:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Fan Tsang can be reached on (703) 305-4895. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 872-9314 for regular communications and for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-4750.



g.g.

October 20, 2002

FAN TSANG
SUPERVISORY PATENT EXAMINER
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